

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

FILMON HABTEMARIAM,)
Petitioner,) CASE NO. C12-1808-RAJ
v.)
STEPHEN D. SINCLAIR,) ORDER DENYING PETITIONER'S
Respondent.) HABEAS PETITION WITH
) PREJUDICE
)
)

The Court, having reviewed petitioner's petition for writ of habeas corpus, respondent's answer thereto, the Report and Recommendation of Mary Alice Theiler, United States Magistrate Judge, and the remaining record, does hereby find and Order:

- (1) The Court adopts the Report and Recommendation;
- (2) Petitioner's habeas petition is DENIED, and this action is DISMISSED, with prejudice;
- (3) Petitioner is DENIED issuance of a certificate of appealability, and

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HABEAS PETITION WITH PREJUDICE
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01 (4) The Clerk is directed to send copies of this Order to petitioner, to counsel for
02 respondent, and to Judge Theiler.

03 DATED this 23rd day of July, 2013.

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The Honorable Richard A. Jones
United States District Judge